



06-20-01

0350 #7 \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 09/695,443)
)
Filed: Oct. 24, 2000) Customer Service Center
)
Inventor: Cherouny et al)
)
For: Electronic Programmable Speed Limiter)

June 19, 2001

To: Honorable Commissioner of Patent & Trademarks
Washington, D.C. 20231

**RESPONSE TO NOTICE OF INCOMPLETE NONPROVISIONAL
APPLICATION**

Dear Sir,

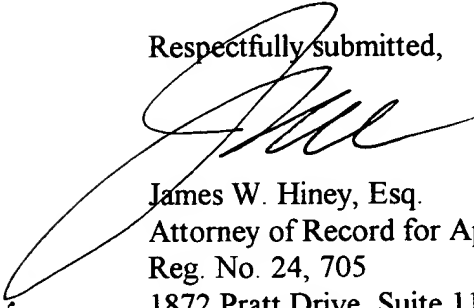
Enclosed herewith are (a) new affidavits executed by the two inventors attesting to the invention including specification and claims as filed and (b) another set of the claims 1-32 which were filed earlier with the case on October 24, 2001.

It should be noted that a separate petition is being filed herewith to protest the inept handling of this case by Customer Service and the callous treatment of the undersigned in attempting to resolve what happened to the claims and to obtain the original filing date of this case. As noted in the affidavit accompanying the Petition, the undersigned himself filed the original case together with the claims and it is apparent that the Office misplaced the claims after improperly noting that the case was not filed in English in its first objection mailed March 29, 2001 to the filing. The undersigned called the number given on the second Notice of Incomplete Nonprovisional Application mailed May 5, 2001 (703-308-1202) on three separate occasions over three weeks and was told either he had "an attitude", or they would "have to order it". It was allegedly ordered three separate times with promises to call the undersigned but no one ever called.

Thus, applicant's were never afforded the opportunity to discuss the case with Customer Service. It is apparent that "Customer Service" should be renamed "Customer Disservice" and that this new procedure is acutely awful in its execution. A separate letter of Complaint to the Commissioner is being filed as well. The arrogant disregard of the applicant's rights is astonishing.

As the unnecessary requirements of the Notice of Incomplete Nonprovisional Application have been met, namely, the filing of a second set of claims (which WERE filed with the case originally) and the two newly executed declarations covering the claims have been submitted within two months of the date of mailing of the notice, on May 4, 2001.

Respectfully submitted,



James W. Hiney, Esq.
Attorney of Record for Applicants
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Blacksburg, VA 24060
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Enclosures:

CERTIFICATION OF MAILING

I, James W. Hiney, does hereby certify that an executed copy of the Response to Notice of Incomplete Nonprovisional Application was deposited, Express Mail Postage Prepaid, with the United States Postal Service, this 19th day of June, 2001, together with a copy of the Petition to Grant Filing Date, with a \$130.00 petition fee.



James W. Hiney



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/695,443	10/24/2000	Peter Herbert Cherouny	PC 10

James W Hiney Esq
1872 Pratt Drive
Suite 1100
Blacksburg, VA 24060



CONFIRMATION NO. 2611

FORMALITIES LETTER



OC000000006041189

Date Mailed: 05/04/2001

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The specification does not include at least one claim.
A complete specification as prescribed by 35 U.S.C. 112 is required.

*A copy of this notice **MUST** be returned with the reply.*

For M. Jackson

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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